



General Assembly

January Session, 2007

***Raised Bill No. 7024***

LCO No. 3727

\* \_\_\_\_HB07024PD\_\_\_\_040407\_\_\_\_\*

Referred to Committee on Public Safety and Security

Introduced by:  
(PS)

***AN ACT CREATING AN INTRASTATE MUTUAL AID SYSTEM.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1      Section 1. (NEW) (*Effective October 1, 2007*) Intrastate Mutual Aid  
2      Compact

3      Article I. Purposes

4      This compact is made and entered into by and between the  
5      participating political subdivisions of this state which enact this  
6      compact. The purpose of this compact is to create a system of intrastate  
7      mutual aid between participating political subdivisions in the state.  
8      Each participant of this system recognizes that emergencies transcend  
9      political jurisdictional boundaries and that intergovernmental  
10     coordination is essential for the protection of lives and property and  
11     for best use of available assets. The system shall provide for mutual  
12     assistance among the participating political subdivisions in the  
13     prevention of, response to, and recovery from, any disaster that results  
14     in a declared state of emergency in a participating political  
15     subdivision, subject to that participating political subdivision's criteria  
16     for declaration. The system shall provide for mutual cooperation

17 among the participating subdivisions in conducting disaster-related  
18 exercises, testing or training activities.

19 Article II. General Provisions

20 (1) For purposes of this article, "Chief Executive Officer" means the  
21 elected or appointed officer granted the authority to declare a local  
22 civil preparedness emergency by the charter or ordinance of his or her  
23 political subdivision.

24 (2) In the event of a serious disaster affecting any political  
25 subdivision of the state, the chief executive officer of that political  
26 subdivision may declare a local civil preparedness emergency. The  
27 chief executive officer of such political subdivision shall notify the  
28 Commissioner of Emergency Management and Homeland Security of  
29 such declaration not later than twenty-four hours after such  
30 declaration. Such a declaration shall activate the emergency plan of  
31 operations of that political subdivision, as established under  
32 subsection (a) of section 28-7 of the general statutes, and authorize the  
33 request or furnishing of aid and assistance, including any aid and  
34 assistance provided under the intrastate mutual aid system described  
35 in this section. No immunity, rights or privileges are provided for any  
36 individual who self-dispatches in response to a declaration, without  
37 authorization by a participating political subdivision. All political  
38 subdivisions within the state are, upon enactment of this compact,  
39 automatically a part of the intrastate mutual aid system. A political  
40 subdivision within the state may elect not to participate or to  
41 withdraw from the intrastate mutual aid system upon enactment of an  
42 appropriate resolution by its governing body declaring that it elects  
43 not to participate in the intrastate mutual aid system. Such a resolution  
44 shall be effective upon the filing of a certified copy with the  
45 Commissioner of Emergency Management and Homeland Security.  
46 Nothing in this compact shall preclude participating political  
47 subdivisions from entering into supplementary mutual aid agreements  
48 with another political subdivision or affect any other inter-local  
49 municipal agreement, including any other mutual aid agreement, to

50 which a political subdivision may be a party or become a party.

51 Article III. Responsibilities of the Local and Joint Organizations of  
52 Participating Political Subdivisions

53 The participating political subdivisions shall ensure that the duties  
54 of their local or joint organizations, as described in subsection (a) of  
55 section 28-7 of the general statutes, include the following:

56 (1) Identifying potential hazards that could affect the participating  
57 political subdivisions using an identification system common to all  
58 participating jurisdictions;

59 (2) Conducting of joint planning, intelligence sharing and threat  
60 assessment development with contiguous participating political  
61 subdivisions, and conduct joint training at least biennially;

62 (3) Identifying and inventorying the current services, equipment,  
63 supplies, personnel and other resources related to planning,  
64 prevention, mitigation, response and recovery activities of the  
65 participating political subdivisions; and

66 (4) Adopting and implementing the standardized incident  
67 management system approved by the Department of Emergency  
68 Management and Homeland Security.

69 Article IV. Implementation

70 Any request for assistance made by the chief executive officer of a  
71 participating political subdivision who has declared a local civil  
72 preparedness emergency shall be made to the chief executive officers  
73 of other participating political subdivisions or their designees.  
74 Requests may be oral or in writing, and shall be reported to the  
75 Commissioner of Emergency Management and Homeland Security not  
76 later than twenty-four hours after the request. Oral requests shall be  
77 reduced to writing not later than forty-eight hours after the request.

78 Article V. Conditions

79 A participating political subdivision's obligation to provide  
80 assistance in the case of a declared local civil preparedness emergency  
81 is subject to the following conditions:

82 (1) A participating political subdivision shall have declared a local  
83 civil preparedness emergency;

84 (2) A responding participating political subdivision may withhold  
85 or recall resources to the extent it deems necessary to provide  
86 reasonable protection and services for its own jurisdiction;

87 (3) Personnel of a responding participating political subdivision  
88 shall continue under the command and control of their responding  
89 jurisdiction, including emergency medical treatment protocols,  
90 standard operating procedures and other protocols, but shall be under  
91 the operational control of the appropriate officials within the incident  
92 management system of the participating political subdivision receiving  
93 assistance; and

94 (4) Assets and equipment of a responding participating political  
95 subdivision shall continue under the control of the responding  
96 jurisdiction, but shall be under the operational control of the  
97 appropriate officials within the incident management system of the  
98 participating political subdivision receiving assistance.

99 Article VI. Licenses, Certificates and Permits

100 (1) If a person or entity holds a license, certificate or other permit  
101 issued by a participating political subdivision or the state evidencing  
102 qualification in a profession, mechanical skill or other skill, and the  
103 assistance of that person or entity is requested by a participating  
104 political subdivision, such person or entity shall be deemed to be  
105 licensed, certified or permitted in the political subdivision requesting  
106 assistance for the duration of the declared local civil preparedness  
107 emergency, subject to any limitations and conditions as may be  
108 prescribed by the chief executive officer of the participating political  
109 subdivisions, by executive order or otherwise; or by the person or

110 entity's sponsor hospital.

111 (2) The officers, members and employees of the responding political  
112 subdivision, including, but not limited to, public works, firefighting,  
113 police or other assigned personnel rendering aid or assistance  
114 pursuant to the compact and this section shall have the same duties,  
115 rights, privileges and immunities as if they were performing their  
116 duties in the responding political subdivision.

#### 117 Article VII. Reimbursement

118 (1) Participating political subdivisions shall maintain  
119 documentation of all assets provided. In the event of federal  
120 reimbursement to a requesting political subdivision, any political  
121 subdivision providing assistance under the compact and this section  
122 shall receive its appropriate share of said reimbursement.

123 (2) A participating political subdivision may donate assets of any  
124 kind to a requesting participating political subdivision. Unless  
125 requested in writing, no reimbursement shall be sought by a  
126 responding political subdivision from a requesting political  
127 subdivision that has declared a local civil preparedness emergency.  
128 Any written request for reimbursement must be made not later than  
129 thirty calendar days after the response, except that notice of intent to  
130 seek reimbursement shall be given at the time the aid is rendered, or as  
131 soon as possible thereafter.

132 (3) Any dispute between political subdivisions regarding  
133 reimbursement shall be resolved by the parties not later than thirty  
134 days after written notice of the dispute by the party asserting  
135 noncompliance. If the dispute is not resolved within ninety days of the  
136 notice of the claim, either party may request that the dispute be  
137 resolved through arbitration. Any such arbitration shall be conducted  
138 under the commercial arbitration rules of the American Arbitration  
139 Association.

#### 140 Article VIII. Liability

141       For the purposes of liability, all persons from a responding political  
142 subdivision under the operational control of the requesting political  
143 subdivision are deemed to be employees of the responding political  
144 subdivision. Neither the participating political subdivisions nor their  
145 employees, except in cases of wilful misconduct, gross negligence or  
146 bad faith, shall be liable for the death of or injury to persons or for  
147 damage to property when complying or attempting to comply with the  
148 intrastate mutual aid system.

This act shall take effect as follows and shall amend the following sections:		
---	--	--

Section 1	<i>October 1, 2007</i>	New section
-----------	------------------------	-------------

***PS***       *Joint Favorable*

***PD***       *Joint Favorable*